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7 *Attorneys for Complainant*

8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12
13 In the Matter of the Accusation Against:

14 **URSULA MELETA THOMPkins, aka**
15 **URSULA MELETA ARELLANO GRAFEMAN THOMPkins**
8 Moselle Ct.
16 **O'Fallon, MO 63366**

17 **Registered Nurse License No. 593615**

18 Respondent.

Case No. **2010-312**

A C C U S A T I O N

19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
23 of Consumer Affairs.

24 **License History**

25 2. On or about January 17, 2002, the Board of Registered Nursing issued Registered
26 Nurse License Number 593615 to Ursula Meleta Thompkins, also known as Ursula Meleta
27 Arellano Grafeman Thompkins ("Respondent"). The license was in full force and effect at all
28 times relevant to the charges brought herein and expired on November 30, 2009.

1 **Prior Discipline**

2 3. In a prior discipline before the California Board of Registered Nursing, in the case
3 entitled, *In the Matter of the Accusation Against Ursula Meleta Thompkins, aka Ursula Meleta*
4 *Arellano Grafeman Thompkins*, Case No. 2004-148, effective June 10, 2005, the Board revoked
5 Respondent's Registered Nurse License No. 593615. However, the revocation was stayed and
6 Respondent was placed on probation for three years with terms and conditions of probation. The
7 underlying circumstances of the discipline are that in or about February and/or March 2002,
8 Respondent self-administered Marijuana, a controlled substance, without lawful authority. The
9 probation has been tolled since June 10, 2005, due to Respondent residing outside of California.

10 **JURISDICTION**

11 4. This Accusation is brought before the Board of Registered Nursing ("Board"),
12 Department of Consumer Affairs, under the authority of the following laws. All section
13 references are to the Business and Professions Code ("Code"), unless otherwise indicated.

14 5. Code section 2750 provides, in pertinent part, that the Board may discipline any
15 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
16 in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

17 6. Code section 2764, in pertinent part, that the expiration of a license shall not deprive
18 the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to
19 render a decision imposing discipline on the license. Under Code section 2811, subdivision (b),
20 the Board may renew an expired license at any time within eight years after the expiration.

21 7. Code section 118, subdivision (b), provides that the suspension, expiration, surrender,
22 or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a
23 disciplinary action during the period within which the license may be renewed, restored, reissued
24 or reinstated.

25 **STATUTORY PROVISIONS**

26 8. Code section 2761 states, in pertinent part:

27 The board may take disciplinary action against a certified or licensed nurse
28 or deny an application for a certificate or license for any of the following:

1 (a) Unprofessional conduct, which includes, but is not limited to, the
2 following:

3 (4) Denial of licensure, revocation, suspension, restriction, or any other
4 disciplinary action against a health care professional license or certificate by
5 another state or territory of the United States, by any other government agency,
6 or by another California health care professional licensing board. A certified
7 copy of the decision or judgment shall be conclusive evidence of that action.

8 COST RECOVERY

9 9. Code section 125.3 provides, in pertinent part, that the Board may request the
10 administrative law judge to direct a licensee found to have committed a violation or violations of
11 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
12 enforcement of the case.

13 CAUSE FOR DISCIPLINE

14 (Out-of-State Discipline)

15 10. Respondent's license is subject to disciplinary action under Code section 2761,
16 subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent's Registered
17 Nursing License was disciplined by the Missouri Board of Nursing ("Missouri Board"). In the
18 case entitled, *State Board of Nursing v. Ursula Thompkins, Respondent*, Case No. 2005-002982,
19 effective June 20, 2009, Respondent's Registered Nurse License No. 124430 was revoked. The
20 underlying circumstances of the discipline are that Respondent violated the terms of an Order,
21 dated September 26, 2008, whereby Respondent's Registered Nursing license was placed on
22 probation for four years with terms and conditions, including a chemical dependency evaluation
23 and treatment, if necessary. On November 6, 2008, it was recommended that Respondent begin
24 regular outpatient individual counseling sessions with a licensed therapist. However, Respondent
25 failed to comply with the recommendation by the due dates. Furthermore, pursuant to the terms
26 of the Order, on November 20, 2008, Respondent submitted a urine sample for random drug
27 screening which tested positive for Propoxyphene, a controlled substance, for which she had no
28 prescription.

A copy of the Findings of Fact, Conclusions of Law, and Disciplinary Order is attached as
Exhibit A and is incorporated herein.

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1 PRAYER

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
3 and that following the hearing, the Board of Registered Nursing issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 593615 issued to
5 Ursula Meleta Thompkins, also known as Ursula Meleta Arellano Grafeman Thompkins;

6 2. Ordering Ursula Meleta Thompkins, also known as Ursula Meleta Arellano Grafeman
7 Thompkins, to pay the Board the reasonable costs of the investigation and enforcement of this
8 case, pursuant to Code section 125.3; and,

9 3. Taking such other and further action as deemed necessary and proper.

10
11 DATED: 12/29/09

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

URSULA MELETA THOMPkins
aka URSULA MELETA ARELLANO
GRAFEMAN THOMPkins
8 Moselle Court
O'Fallon, MO 63366

Case No. 2004-148

Registered Nurse License No. 593615

Respondent

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as it's Decision in the above entitled matter.

This Decision shall become effective on June 10, 2005.

IT IS SO ORDERED May 11, 2005.

Sandra R. Erickson

President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 BILL LOCKYER, Attorney General
of the State of California
2 SHARON F. COHEN, R.N., State Bar No. 107140
Supervising Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-2533
5 Facsimile: (213) 897-2804

6 Attorneys for Complainant

7
8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2004-148

12 URSULA MELETA THOMPkins
13 AKA URSULA MELETA ARELLANO
14 GRAFEMAN THOMPkins
5417 Lake Murray Blvd., #9
La Mesa, CA 91942

OAH No. L-2004030484

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 Registered Nurse License No. 593615

16 Respondent.

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
19 above-entitled proceedings that the following matters are true:
20

21 PARTIES

22 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
23 the Board of Registered Nursing. She brought this action solely in her official capacity and is
24 represented in this matter by Bill Lockyer, Attorney General of the State of California, by Sharon
25 F. Cohen, R.N., Supervising Deputy Attorney General.

26 2. Respondent Ursula Meleta Thompkins (Respondent) is represented in this
27 proceeding by attorney Edgardo Gonzalez, Esq., whose address is 1300 Clay Street, Suite 600,
28 Oakland, CA 94612.

3. On or about January 17, 2002, the Board of Registered Nursing issued Registered Nurse License No. 593615 to Ursula Meleta Thompkins, aka Ursula Meleta Arellano Grafeman Thompkins (Respondent). The License was in full force and effect at all times relevant to the charges brought in Accusation No. 2004-148 and will expire on November 30, 2005, unless renewed.

JURISDICTION

4. Accusation No. 2004-148 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 12, 2004. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2004-148 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2004-148. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in
3 Accusation No. 2004-148.

4 9. Respondent agrees that her Registered Nurse License is subject to
5 discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the
6 Disciplinary Order below.

7 RESERVATION

8 10. The admissions made by Respondent herein are only for the purposes of
9 this proceeding, or any other proceedings in which the Board of Registered Nursing or other
10 professional licensing agency is involved, and shall not be admissible in any other criminal or
11 civil proceeding.

12 CONTINGENCY

13 11. This stipulation shall be subject to approval by the Board of Registered
14 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the
15 Board of Registered Nursing may communicate directly with the Board regarding this stipulation
16 and settlement, without notice to or participation by Respondent or her counsel. By signing the
17 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
18 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
19 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
20 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
21 action between the parties, and the Board shall not be disqualified from further action by having
22 considered this matter.

23 12. The parties understand and agree that facsimile copies of this Stipulated
24 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
25 force and effect as the originals.

26 13. In consideration of the foregoing admissions and stipulations, the parties
27 agree that the Board may, without further notice or formal proceeding, issue and enter the
28 following Disciplinary Order:

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1 of this probation time period. Respondent's probation is tolled, if and when she resides outside
2 of California. Respondent must provide written notice to the Board within 15 days of any change
3 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
4 returning to practice in this state.

5 Respondent shall provide a list of all states and territories where she has ever been
6 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
7 provide information regarding the status of each license and any changes in such license status
8 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
9 new nursing license during the term of probation.

10 **5. Submit Written Reports.** Respondent, during the period of probation,
11 shall submit or cause to be submitted such written reports/declarations and verification of actions
12 under penalty of perjury, as required by the Board. These reports/declarations shall contain
13 statements relative to Respondent's compliance with all the conditions of the Board's Probation
14 Program. Respondent shall immediately execute all release of information forms as may be
15 required by the Board or its representatives.

16 Respondent shall provide a copy of this Decision to the nursing regulatory agency
17 in every state and territory in which she has a registered nurse license.

18 **6. Function as a Registered Nurse.** Respondent, during the period of
19 probation, shall engage in the practice of registered nursing in California for a minimum of 24
20 hours per week for 6 consecutive months or as determined by the Board.

21 For purposes of compliance with the section, "engage in the practice of registered
22 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
23 work in any non-direct patient care position that requires licensure as a registered nurse.

24 The Board may require that advanced practice nurses engage in advanced practice
25 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
26 Board.

27 If Respondent has not complied with this condition during the probationary term,
28 and Respondent has presented sufficient documentation of her good faith efforts to comply with

1 this condition, and if no other conditions have been violated, the Board, in its discretion, may
2 grant an extension of Respondent's probation period up to one year without further hearing in
3 order to comply with this condition. During the one year extension, all original conditions of
4 probation shall apply.

5 **7. Employment Approval and Reporting Requirements.** Respondent
6 shall obtain prior approval from the Board before commencing or continuing any employment,
7 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
8 performance evaluations and other employment related reports as a registered nurse upon request
9 of the Board.

10 Respondent shall provide a copy of this Decision to her employer and immediate
11 supervisors prior to commencement of any nursing or other health care related employment.

12 In addition to the above, Respondent shall notify the Board in writing within
13 seventy-two (72) hours after she obtains any nursing or other health care related employment.
14 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
15 terminated or separated, regardless of cause, from any nursing, or other health care related
16 employment with a full explanation of the circumstances surrounding the termination or
17 separation.

18 **8. Supervision.** Respondent shall obtain prior approval from the Board
19 regarding Respondent's level of supervision and/or collaboration before commencing or
20 continuing any employment as a registered nurse, or education and training that includes patient
21 care.

22 Respondent shall practice only under the direct supervision of a registered nurse
23 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
24 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
25 are approved.

26 Respondent's level of supervision and/or collaboration may include, but is not
27 limited to the following:

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1 (a) Maximum - The individual providing supervision and/or collaboration is
2 present in the patient care area or in any other work setting at all times.

3 (b) Moderate - The individual providing supervision and/or collaboration is in
4 the patient care unit or in any other work setting at least half the hours Respondent works.

5 (c) Minimum - The individual providing supervision and/or collaboration has
6 person-to-person communication with Respondent at least twice during each shift worked.

7 (d) Home Health Care - If Respondent is approved to work in the home health
8 care setting, the individual providing supervision and/or collaboration shall have person-to-
9 person communication with Respondent as required by the Board each work day. Respondent
10 shall maintain telephone or other telecommunication contact with the individual providing
11 supervision and/or collaboration as required by the Board during each work day. The individual
12 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
13 site visits to patients' homes visited by Respondent with or without Respondent present.

14 9. **Employment Limitations.** Respondent shall not work for a nurse's
15 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
16 traveling nurse, or for an in-house nursing pool.

17 Respondent shall not work for a licensed home health agency as a visiting nurse
18 unless the registered nursing supervision and other protections for home visits have been
19 approved by the Board. Respondent shall not work in any other registered nursing occupation
20 where home visits are required.

21 Respondent shall not work in any health care setting as a supervisor of registered
22 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
23 nurses and/or unlicensed assistive personnel on a case-by-case basis.

24 Respondent shall not work as a faculty member in an approved school of nursing
25 or as an instructor in a Board approved continuing education program.

26 Respondent shall work only on a regularly assigned, identified and predetermined
27 worksite(s) and shall not work in a float capacity.

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1 If Respondent is working or intends to work in excess of 40 hours per week, the
2 Board may request documentation to determine whether there should be restrictions on the hours
3 of work.

4 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall
5 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
6 than six months prior to the end of her probationary term.

7 Respondent shall obtain prior approval from the Board before enrolling in the
8 course(s). Respondent shall submit to the Board the original transcripts or certificates of
9 completion for the above required course(s). The Board shall return the original documents to
10 Respondent after photocopying them for its records.

11 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
12 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
13 amount of \$2,800.00. Respondent shall be permitted to pay these costs in a payment plan
14 approved by the Board, with payments to be completed no later than three months prior to the
15 end of the probation term.

16 If Respondent has not complied with this condition during the probationary term,
17 and Respondent has presented sufficient documentation of her good faith efforts to comply with
18 this condition, and if no other conditions have been violated, the Board, in its discretion, may
19 grant an extension of Respondent's probation period up to one year without further hearing in
20 order to comply with this condition. During the one year extension, all original conditions of
21 probation will apply.

22 12. **Violation of Probation.** If Respondent violates the conditions of her
23 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
24 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's
25 license.

26 If during the period of probation, an accusation or petition to revoke probation has
27 been filed against Respondent's license or the Attorney General's Office has been requested to
28 prepare an accusation or petition to revoke probation against Respondent's license, the

1 probationary period shall automatically be extended and shall not expire until the accusation or
2 petition has been acted upon by the Board.

3 **13. License Surrender.** During Respondent's term of probation, if she ceases
4 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
5 probation, Respondent may surrender her license to the Board. The Board reserves the right to
6 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
7 take any other action deemed appropriate and reasonable under the circumstances, without
8 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
9 will no longer be subject to the conditions of probation.

10 Surrender of Respondent's license shall be considered a disciplinary action and
11 shall become a part of Respondent's license history with the Board. A registered nurse whose
12 license has been surrendered may petition the Board for reinstatement no sooner than the
13 following minimum periods from the effective date of the disciplinary decision:

14 (1) Two years for reinstatement of a license that was surrendered for any
15 reason other than a mental or physical illness; or

16 (2) One year for a license surrendered for a mental or physical illness.

17 **14. Physical Examination.** Within 45 days of the effective date of this
18 Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or
19 physician assistant, who is approved by the Board before the assessment is performed, submit an
20 assessment of the Respondent's physical condition and capability to perform the duties of a
21 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
22 medically determined, a recommended treatment program will be instituted and followed by the
23 Respondent with the physician, nurse practitioner, or physician assistant providing written
24 reports to the Board on forms provided by the Board.

25 If Respondent is determined to be unable to practice safely as a registered nurse,
26 the licensed physician, nurse practitioner, or physician assistant making this determination shall
27 immediately notify the Board and Respondent by telephone, and the Board shall request that the
28 Attorney General's office prepare an accusation or petition to revoke probation. Respondent

1 shall immediately cease practice and shall not resume practice until notified by the Board.
2 During this period of suspension, Respondent shall not engage in any practice for which a license
3 issued by the Board is required until the Board has notified Respondent that a medical
4 determination permits Respondent to resume practice. This period of suspension will not apply
5 to the reduction of this probationary time period.

6 If Respondent fails to have the above assessment submitted to the Board within
7 the 45-day requirement, Respondent shall immediately cease practice and shall not resume
8 practice until notified by the Board. This period of suspension will not apply to the reduction of
9 this probationary time period. The Board may waive or postpone this suspension only if
10 significant, documented evidence of mitigation is provided. Such evidence must establish good
11 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
12 provided. Only one such waiver or extension may be permitted.

13 **15. Participate in Treatment/Rehabilitation Program for Chemical**
14 **Dependence.** Respondent, at her expense, shall successfully complete during the probationary
15 period or shall have successfully completed prior to commencement of probation a Board-
16 approved treatment/rehabilitation program of at least six months duration. As required, reports
17 shall be submitted by the program on forms provided by the Board. If Respondent has not
18 completed a Board-approved treatment/rehabilitation program prior to commencement of
19 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in
20 a program. If a program is not successfully completed within the first nine months of probation,
21 the Board shall consider Respondent in violation of probation.

22 Based on Board recommendation, each week Respondent shall be required to
23 attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics
24 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed
25 by the Board. If a nurse support group is not available, an additional 12-step meeting or
26 equivalent shall be added. Respondent shall submit dated and signed documentation confirming
27 such attendance to the Board during the entire period of probation. Respondent shall continue
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1 with the recovery plan recommended by the treatment/rehabilitation program or a licensed
2 mental health examiner and/or other ongoing recovery groups.

3 **16. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent
4 shall completely abstain from the possession, injection or consumption by any route of all
5 psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a
6 health care professional legally authorized to do so as part of documented medical treatment.
7 Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the
8 prescribing health professional, a report identifying the medication, dosage, the date the
9 medication was prescribed, the Respondent's prognosis, the date the medication will no longer
10 be required, and the effect on the recovery plan, if appropriate.

11 Respondent shall identify for the Board a single physician, nurse practitioner or
12 physician assistant who shall be aware of Respondent's history of substance abuse and will
13 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled
14 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician
15 assistant shall report to the Board on a quarterly basis Respondent's compliance with this
16 condition. If any substances considered addictive have been prescribed, the report shall identify a
17 program for the time limited use of any such substances.

18 The Board may require the single coordinating physician, nurse practitioner, or
19 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in
20 addictive medicine.

21 **17. Submit to Tests and Samples.** Respondent, at her expense, shall
22 participate in a random, biological fluid testing or a drug screening program which the Board
23 approves. The length of time and frequency will be subject to approval by the Board.
24 Respondent is responsible for keeping the Board informed of Respondent's current telephone
25 number at all times. Respondent shall also ensure that messages may be left at the telephone
26 number when she is not available and ensure that reports are submitted directly by the testing
27 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately
28 to the Board by the program and Respondent shall be considered in violation of probation.

1 In addition, Respondent, at any time during the period of probation, shall fully
2 cooperate with the Board or any of its representatives, and shall, when requested, submit to such
3 tests and samples as the Board or its representatives may require for the detection of alcohol,
4 narcotics, hypnotics, dangerous drugs, or other controlled substances.

5 If Respondent has a positive drug screen for any substance not legally authorized
6 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the
7 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent
8 from practice pending the final decision on the petition to revoke probation or the accusation.
9 This period of suspension will not apply to the reduction of this probationary time period.

10 If Respondent fails to participate in a random, biological fluid testing or drug
11 screening program within the specified time frame, Respondent shall immediately cease practice
12 and shall not resume practice until notified by the Board. After taking into account documented
13 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the
14 Board may suspend Respondent from practice pending the final decision on the petition to
15 revoke probation or the accusation. This period of suspension will not apply to the reduction of
16 this probationary time period.

17 **18. Mental Health Examination.** Respondent shall, within 45 days of the
18 effective date of this Decision, have a mental health examination including psychological testing
19 as appropriate to determine her capability to perform the duties of a registered nurse. The
20 examination will be performed by a psychiatrist, psychologist or other licensed mental health
21 practitioner approved by the Board. The examining mental health practitioner will submit a
22 written report of that assessment and recommendations to the Board. All costs are the
23 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
24 result of the mental health examination will be instituted and followed by Respondent.

25 If Respondent is determined to be unable to practice safely as a registered nurse,
26 the licensed mental health care practitioner making this determination shall immediately notify
27 the Board and Respondent by telephone, and the Board shall request that the Attorney General's
28 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease

1 practice and may not resume practice until notified by the Board. During this period of
2 suspension, Respondent shall not engage in any practice for which a license issued by the Board
3 is required, until the Board has notified Respondent that a mental health determination permits
4 Respondent to resume practice. This period of suspension will not apply to the reduction of this
5 probationary time period.

6 If Respondent fails to have the above assessment submitted to the Board within
7 the 45-day requirement, Respondent shall immediately cease practice and shall not resume
8 practice until notified by the Board. This period of suspension will not apply to the reduction of
9 this probationary time period. The Board may waive or postpone this suspension only if
10 significant, documented evidence of mitigation is provided. Such evidence must establish good
11 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
12 provided. Only one such waiver or extension may be permitted.

13 19. **Therapy or Counseling Program.** Respondent, at her expense, shall
14 participate in an on-going counseling program until such time as the Board releases her from this
15 requirement and only upon the recommendation of the counselor. Written progress reports from
16 the counselor will be required at various intervals.

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1 until notified by the Board. This period of suspension will not apply to the reduction of this
2 probationary time period. The Board may waive or postpone this suspension only if significant,
3 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
4 by Respondent to obtain the assessment, and a specific date for compliance must be provided.
5 Only one such waiver or extension may be permitted.

6 19. Therapy or Counseling Program. Respondent, at her expense, shall
7 participate in an on-going counseling program until such time as the Board releases her from this
8 requirement and only upon the recommendation of the counselor. Written progress reports from
9 the counselor will be required at various intervals.

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3 ACCEPTANCE

4 I have carefully read the above Stipulated Settlement and Disciplinary Order and
5 have fully discussed it with my attorney, Edgardo Gonzalez, Esq.. I understand the stipulation and
6 the effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement and
7 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision
8 and Order of the Board of Registered Nursing.

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0 DATED: 8/10/04

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Ursula Meleta Thompkins
URSULA MELETA THOMPCKINS
Respondent

I have read and fully discussed with Respondent Ursula Meleta Thompkins the

Consent (COMPROMISE) - This document
represents the Respondent's agreement to the
Board's decision and the stipulation to which
she has agreed. It is not a contract and
shall not be used as evidence in any future
proceedings.

1 terms and conditions and other matters contained in the above Stipulated Settlement and
2 Disciplinary Order. I approve its form and content.

3

4 DATED: 8-11-04

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Edgardo Gonzalez
EDGARDO GONZALEZ, ESQ.

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Attorney for Respondent

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ENDORSEMENT

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The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully

17 submitted for consideration by the Board of Registered Nursing of the Department of Consumer

18 Affairs.

19

20 DATED: _____

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BILL LOCKYER, Attorney General
of the State of California

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LORRIE MARIE YOST
Deputy Attorney General

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Attorneys for Complainant

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DATED: August 12, 2004.



LORRIE MARIE YOST
 Deputy Attorney General
 Attorneys for Complainant

Exhibit A

Accusation No. 2004-148

1 BILL LOCKYER, Attorney General
of the State of California
2 SHARON F. COHEN, R.N., State Bar No. 107140
Supervising Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-2533
5 Facsimile: (213) 897-2804

6 Attorneys for Complainant
7

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2004-148*

12 **URSULA MELETA ARELLANO**
GRAFEMAN THOMPkins,
13 **formerly known as**
URSULA MELETA THOMPkins
14 5417 LAKE MURRAY BLVD., #9
15 LA MESA, CA 91942
16 Registered Nurse License No. 593615

ACCUSATION

Respondent.

17
18 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the
21 Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs.

22 2. On or about January 17, 2002, the Board of Registered Nursing issued
23 Registered Nurse License No. 593615 to Ursula Meleta Arellano Grafeman Thompkins
24 ("Respondent") formerly known as Ursula Meleta Thompkins. The registered nurse license was
25 in full force and effect at all times relevant to the charges brought herein and will expire on
26 November 30, 2005, unless renewed.

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CAUSE FOR DISCIPLINE

(Self-administer Marijuana, a Controlled Substance)

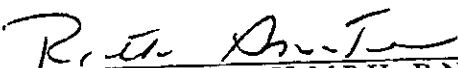
9. Respondent has subjected her registered nurse license to discipline under Code section 2761, subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (a), in that on or about February 2002 and/or March 2002, Respondent self-administered Marijuana, a controlled substance, without lawful authority to do so.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License No. 593615 issued to Respondent;
2. Ordering Respondent to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: 12/15/03


RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant